

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CHRISTOPHER CAIN, KIMBERLY HALO,
KELLY KIMMEY, JUMA LAWSON, and
PHILIP SULLIVAN, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., and AMAZON
LOGISTICS, INC.,

Defendants.

No. 2:21-cv-00204-BJR

PROPOSED SCHEDULE

As directed by the Court, ECF No. 159, Plaintiffs Christopher Cain, Kimberly Halo, Kelly Kimmey, Juma Lawson, and Philip Sullivan (“Plaintiffs”) and Defendants Amazon.com, Inc., and Amazon Logistics, Inc. (“Amazon”), respectfully submit this proposed schedule to govern the rest of the case and state as follows:

1. Plaintiffs filed this action alleging that Amazon violated the Washington Consumer Protection Act (WCPA), RCW 19.86, *et seq.*, by engaging in unfair and deceptive business practices in connection with tips paid by customers for Amazon Flex delivery between January 2017 and August 2019. Amazon denies those allegations and denies engaging in any

1 conduct violative of the WCPA.

2 2. Following the Court's denial of Amazon's motion to compel arbitration,
3 Amazon's appeal of the Court's decision denying motion, and the Court's subsequent denial of
4 Amazon's motion to dismiss, *see* ECF Nos. 47, 68, *and* 99, the parties spent approximately 11
5 months conducting fact discovery – including document production, interrogatories, requests for
6 admission, and depositions – relevant to Plaintiffs' individual and class claims and Amazon's
7 defenses.

8 3. While discovery was ongoing, in January 2025, Plaintiffs filed a motion for class
9 certification under Fed. R. Civ. P. 23. ECF No. 110. Amazon filed an opposition to that motion
10 on April 14, 2025. ECF. No. 128. On July 1, 2025, the Court denied Plaintiffs' motion. ECF No.
11 154. Plaintiffs thereafter filed a petition for interlocutory review of the Court's decision with the
12 Ninth Circuit Court of Appeals under Fed. R. Civ. P. 23(f), which the Court of Appeals denied
13 on August 27, 2025. ECF No. 158.

14 4. Counsel for the parties have conferred concerning a proposed schedule for the
15 remainder of the case in light of the Court's order denying class certification. Following their
16 conferral, the parties propose the schedule for the remainder of the case as follows:

Deadline	Date
Deadline to file any dispositive motions under Fed. R. Civ. P. 56	January 9, 2026
Deadline to file oppositions to any Fed. R. Civ. P. 56 motions	January 30, 2026
Deadline to file replies to any Fed. R. Civ. P. 56 motions	February 6, 2026
Deadline to submit Pretrial Conference Statement	May 18, 2026
Trial	June 15, 2026

22 5. To the extent any fact issues remain unresolved following the Court's decision on
23 the parties' dispositive motions (regarding, e.g., damages), the parties propose to submit those
24 issues for judgment at trial. In that event, the parties propose to submit a more detailed proposed
25 schedule for trial within 21 days of the Court's order on their dispositive motions.

RESPECTFULLY SUBMITTED AND DATED this 17th day of September, 2025.

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Dated: September 17, 2025.

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